

UNITED STATES DISTRICT COURT
DISTRICT OF NEW HAMPSHIRE

Robert Lowe

v.

Civil No. 08-013-JL

Sears Holdings Corporation

O R D E R

The preliminary pretrial conference was held in chambers on March 5, 2008.

The Discovery Plan is approved as submitted, with one change: the parties have agreed to initiate Alternative Dispute Resolution no later than sixty (60) days after the plaintiff's deposition.

By agreement of the parties, the following are **stricken**:

- the plaintiff's claims for attorney fees, compensatory damages and punitive damages;
- defendant's 5th (unclean hands), 7th (waiver), and 13th (doctrine of privilege) affirmative defenses.

The defendant will amend ¶8 of its Answer to clearly indicate its position with respect to the plaintiff's request for a transfer and Mr. Ward's response.

SO ORDERED.



Joseph N. Laplante
United States District Judge

March 5, 2008

cc: Elizabeth B. Olcott, Esq.
Peter Bennett, Esq.